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Recon  
2/13/04  
K. P. J. C.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

RIVAS et al.

Serial No. 09/396,888

Art Unit: 2644

Filed: September 16, 1999

Examiner: L. Grier

For: PULSE RATE, PRESSURE AND HEART CONDITION MONITORING GLASSES

RESPONSE

RECEIVED

FEB 11 2004

To the Director of Patents and Trademarks

Technology Center 2600

Sir:

In response to the office action dated November 10, 2003,  
kindly consider the following:

REMARKS

Applicant is unable to adequately address the issues in the latest office action because, the totality of the office action is mutually contradictory and totally confusing for the following reasons:

1. The latest office action indicates on page 2, paragraph 1, that the "indicated allowability of claim 5 (now cancelled) is withdrawn." The office action does not state anything about **claim 28**, which was allowable before and the subject matter of which was added to claim 22.